

IN RE: PETITION FOR ZONING VARIANCE
S/S Leslie Road, 225' E of
the c/l of Railway Avenue
(1508 Leslie Road)
12th Election District
7th Councilmanic District
Wayne W. Jones, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-474-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 5'4" in lieu of the required 10 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners, by Robert A. Black as authorized by Linda M. Jones in a letter dated May 17, 1989, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 1508 Leslie Road, consists of .15 acres zoned D.R. 5.5 and is improved with a single family dwelling. Testimony indicated that Mrs. Jones proposes having a 5' x 22' addition constructed on the side of the dwelling to expand the existing small kitchen and provide more living space as set forth in Petitioner's Exhibit 1. Mr. Black indicated they have discussed the matter with the adjoining neighbors who have no objections to the proposed addition. Mr. Black further testified the proposed improvements would not result in any detriment to the health, safety or general welfare of the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.)

and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 1st day of May, 1989 that the Petition for Zoning Variance to permit a side yard setback of 5'4" in lieu of the required 10 feet for a proposed addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN W. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 837-3333
J. Robert Haines
Zoning Commissioner

June 1, 1989



Dennis F. Rasmussen
County Executive

Mrs. Linda M. Jones
1508 Leslie Road
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE
S/S Leslie Road, 225' E of the c/l of Railway Avenue
(1508 Leslie Road)
12th Election District - 7th Councilmanic District
Wayne W. Jones, et ux - Petitioners
Case No. 89-474-A

Dear Mrs. Jones:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN W. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

F e

ZONING DESCRIPTION

Being on the south side of Leslie Road 50 feet wide, at the distance of 225 feet EAST of the centerline of Railway Ave. Being Lot 13, in the subdivision of Brookview. Book No. 10, Folio 124. Also known as 1508 Leslie Road in the 12th Election District.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/20, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/20, 1989.

THE JEFFERSONIAN,

S. Zeke Orban
Publisher

PO 10995
reg M28919
cs 89-474-A
price \$ 37.43

To whom it may concern
I Linda May Jones owner of
1508 Leslie Rd, Dundalk Maryland,
authorize Robert A Black to represent
my interest at this Variance hearing which
I cannot attend because of reasons of
employment.
Linda M. Jones
May 17, 1989

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 12th Date of Posting 4/30/89
Post for: Variances
Petitioner: Wayne W. Jones, et ux
Location of property: S/S Leslie Rd, 225' E of Railway Ave
Location of Sign: 1508 Leslie Rd
Remarks: on behalf of Petitioner
Posted by: ANN W. NASTAROWICZ Date of return: 5/5/89
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

Date: 4.25.89

Linda & Wayne Jones
1508 Leslie Road
Dundalk, Maryland 21222

Re: Petition for Zoning Variance
CASE NUMBER: 89-474-A
S/S Leslie Road, 225' E c/l Railway Avenue
1508 Leslie Road
12th Election District - 7th Councilmanic
District
Petitioner(s): Wayne W. Jones, et ux
HEARING SCHEDULED: WEDNESDAY, MAY 17, 1989 at 2:00 p.m.

Dear Petitioners:

Please be advised that \$94.93 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 108, 111 W. Office Building, Towson, Maryland 21204, 15 minutes before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 5/1/89 ACCOUNT PO-615-000

AMOUNT \$ 94.93

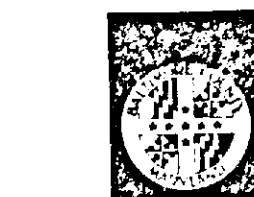
RECEIVED J. Robert Haines, et ux

FOR P.A. for 5/17/89 Hearing 89-474-A

5 010 ***** 1-1

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION DATE: CASHIER P.M. AGENCY YELLOW: CUSTOMER



Dennis F. Rasmussen
County Executive

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-474-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1. To allow a side yard setback of 5'4" in lieu of the required 10 feet.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

1. We need more living space
2. To cost less to go up with construction
3. Going back breaks up living space due to configuration of dwelling

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):

(Type or Print Name) Linda M. Jones

Signature Linda M. Jones

Address 1508 Leslie Rd

City and State Baltimore, Md

Attorney for Petitioner: Wayne W. Jones

(Type or Print Name) Wayne W. Jones

Signature Wayne W. Jones

Address 1508 Leslie Rd

City and State Baltimore, Md

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Wayne W. Jones

1508 Leslie Rd

Baltimore, Md

Attorney's Telephone No.: 282-7446

Address 1508 Leslie Rd

Phone No. 282-7446

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day

of May, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 17th day of May, 1989, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md 21222

April 20, 19 89

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. - Case #89-474-A - P.O. #10996 - Reg. #M28920 - 85 lines & \$42.50 was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 21st day of April 19 89; that is to say, the same was inserted in the issues of April 20, 1989

Kimbel Publication, Inc.
per Publisher.

By K.C. Orban

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

April 10, 1989

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

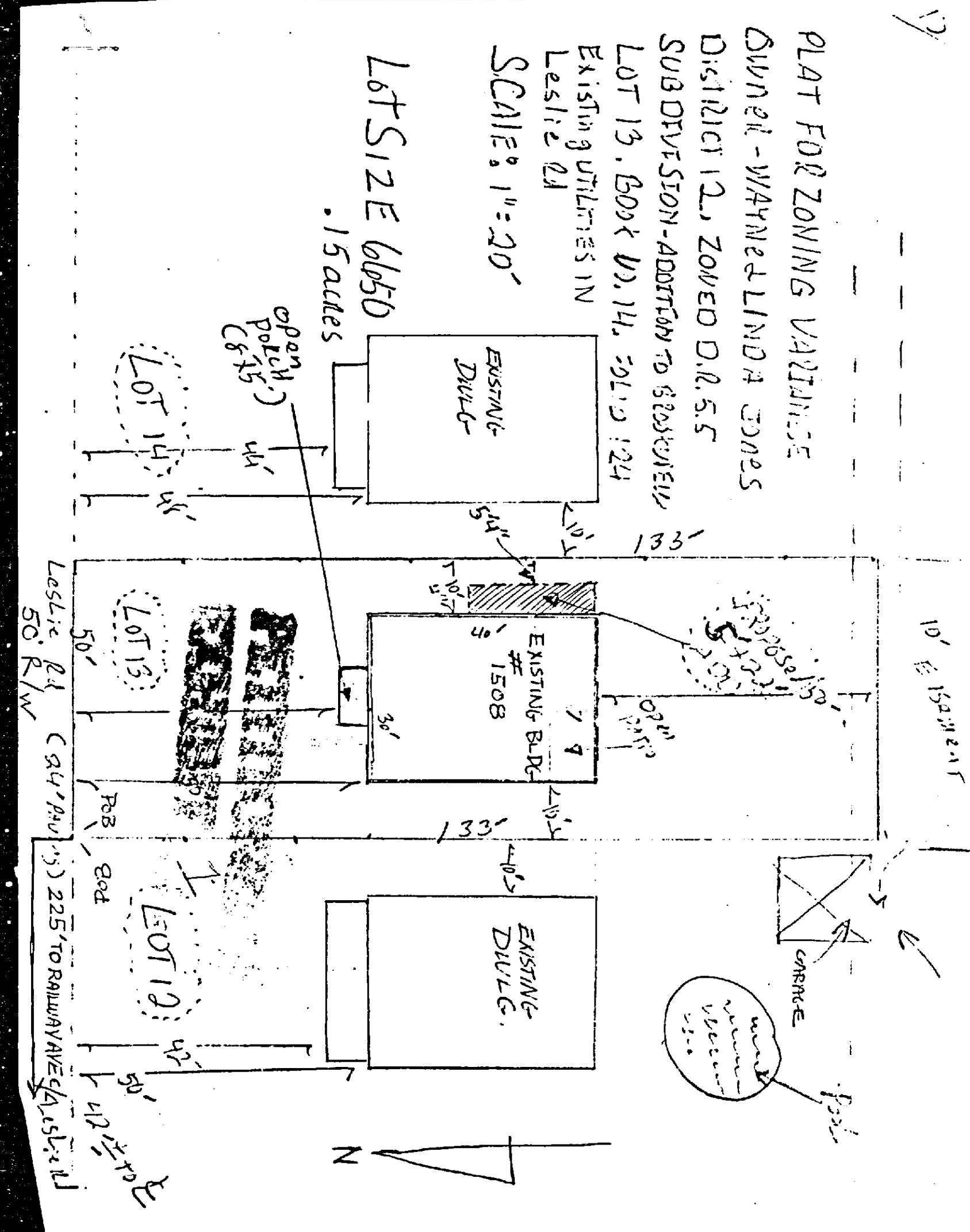
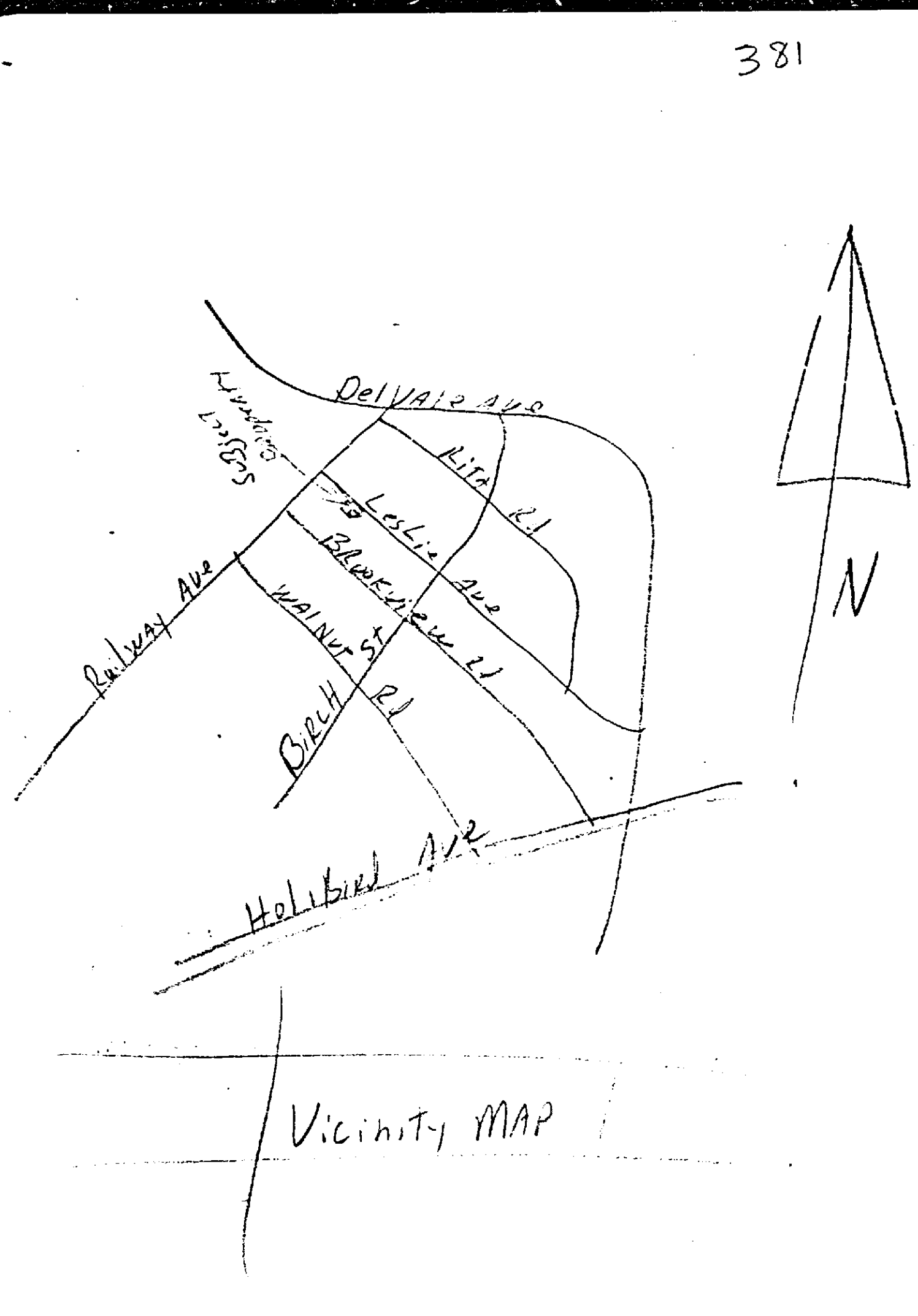
Petition for Zoning Variance
CASE NUMBER: 89-474-A
5/5 Leslie Road, 225' E of Railway Avenue
1508 Leslie Road
12th Election District - 7th Councilmanic
Petitioner(s): Wayne W. Jones, et ux
HEARING SCHEDULED: WEDNESDAY, MAY 17, 1989 at 2:00 p.m.

Variance to allow a side yard setback of 5 ft. 4 in. in lieu of the required 10 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of
Baltimore County

cc: Linda & Wayne Jones
Bob Black
File



89-474-A
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
22nd day of March, 1989.

J. Robert Haines
ZONING COMMISSIONER

Petitioner: Wayne W. Jones, et ux
Petitioner's Attorney: [Signature]
Received by: [Signature]
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 4, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Road Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Wayne W. Jones
1508 Leslie Road
Dundalk, MD 21222

RE: Item No. 381, Case No. 89-474-A
Petitioner: Wayne W. Jones, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Jones:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

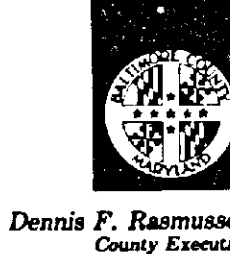
IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:jw
Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

April 21, 1989



Mr. J. Robert Haines
Zoning Commissioner
County Office Building,
Towson, MD 21204

Dear Mr. Haines

The Bureau of Traffic Engineering has no comments for items number 367, 368, 369, 370, 371, 372, 374, 375, 376, 377, 378, 379, 380, 381, and 382.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Assoc. II

MSF/lab

RECEIVED
APR 28 1989
ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204 2386
494-4500

Paul H. Reinecke
Chief

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Wayne W. Jones, et ux

Location: S/S of Leslie Road, 225' E of centerline of
Railway Ave.
Item No.: 381 Zoning Agenda: March 21, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] 3-17-89 NOTED & APPROVED: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

MA 2000

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner DATE: 4/20/89

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: ZONING ADVISORY COMMENTS

Case # 89-474-A
Item # 381

Re: Wayne W. Jones, et ux

The Petitioner requests a variance to permit a side yard setback of 5' 4" in lieu of the required 10 feet. In reference to this request, this office offers no comment.

A:\51789.TXT pg.1

cc: Mr. & Mrs. Jones
4/25/89